

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Kuslich et al  
 Application No.: 09/909667  
 Filed: July 20, 2001  
 For: An Expandable Porous Mesh Bag Device  
 Methods of Use For Reduction....  
 Examiner: Pedro Philogene  
 Group Art Unit: 3732  
 Mail Stop  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Docket No.: S63.2-8765-US

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GROUP 3700

## FACSIMILE TRANSMITTAL LETTER

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TO: Examiner Philogene

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Following please find a 5 page Amendment for filing in the above matter.

The Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0350 for the required fees. To the extent that any petition is required to consider this communication, please treat this as such a petition.

Respectfully Submitted,

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By:

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Julie Emerson  
Julie Emerson

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**I1 Re Application of:** Kuslich et al.  
**Application No.:** 09/909,667  
**Filed:** July 20, 2001  
**For:** AN EXPANDABLE POROUS MESH BAG  
DEVICE AND METHODS OF USE FOR  
REDUCTION, FILLING, FIXATION AND  
SUPPORTING OF BONE  
**Examiner:** Pedro Philogene  
**Group Art Unit:** 3732

Mail Stop \_\_\_\_\_  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Docket No.: S85.2-9156-US02

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 6-23-03  
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## AMENDMENT

This Amendment is in response to the Office Action mailed March 20, 2003.

Please amend the Application as indicated below.

In the Claims:

Please cancel claim 2 from the Application without prejudice or disclaimer.

Please replace claim 1 with the following amended claim:

1. (Twice Amended) A method of treating a bone abnormality in a body comprising the following steps:

exposing an area of bone having an abnormality, the abnormality being selected from at least one member of the group consisting of: bone tumors, cysts, avascular necrosis of the femoral head, tibial plateau fractures, compression fractures of the spine and any combination thereof;